

METROPOLITAN PLAN COMMISSION
DOCKET NO. 67-A0-7

ORDINANCE 67-A0-7

(AMENDING THE INDUSTRIAL ZONING ORDINANCE
OF MARION COUNTY, INDIANA, 63-A0-4)

METROPOLITAN PLANNING DEPARTMENT
1967

ORDINANCE

BE IT ORDAINED by The Marion County Council of Marion County, Indiana that Marion County Council Ordinance No. 8-1957 adopted by The Marion County Council on March 28, 1957, and subsequently amended, pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and the Industrial Zoning Ordinance of Marion County, Indiana, Ordinance No. 63-A0-4, adopted as an amendment thereto, be amended in the following particulars:

That Section 1.00 of the said Industrial Zoning Ordinance, Ordinance No. 63-A0-4, be amended to read as follows:

SECTION 1.00

The following primary INDUSTRIAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County, including the incorporated and unincorporated portions thereof, is hereby classified, divided and zoned into said districts as designated on the INDUSTRIAL ZONING MAPS, which Maps are attached hereto, incorporated herein by reference and made a part of this ordinance:

INDUSTRIAL ZONING DISTRICTS

Symbol

I-1-SRESTRICTED INDUSTRIAL SUBURBAN DISTRICT
I-2-SLIGHT INDUSTRIAL SUBURBAN DISTRICT
I-3-SMEDIUM INDUSTRIAL SUBURBAN DISTRICT
I-4-SHEAVY INDUSTRIAL SUBURBAN DISTRICT
I-5-SHEAVY INDUSTRIAL (OUTSIDE STORAGE) SUBURBAN DISTRICT
I-1-URESTRICTED INDUSTRIAL URBAN DISTRICT
I-2-ULIGHT INDUSTRIAL URBAN DISTRICT
I-3-UMEDIUM INDUSTRIAL URBAN DISTRICT
I-4-UHEAVY INDUSTRIAL URBAN DISTRICT
I-5-UHEAVY INDUSTRIAL (OUTSIDE STORAGE) URBAN DISTRICT

BE IT FURTHER ORDAINED that a new section be added to said Industrial Zoning Ordinance, Ordinance No. 63-A0-4, to be numbered 2.04a and inserted between sections 2.04 and 2.05 thereof, and to read as follows:

SECTION 2.04a 1-5-S HEAVY INDUSTRIAL (OUTSIDE STORAGE) SUBURBAN DISTRICT REGULATIONS

Note: This district is designed for certain heavy industrial uses requiring outside operations and storage area, which are typically characterized by certain appearance factors, requiring buffering by sufficient area and adequate screening to minimize any detrimental or unsightly aspects. The development standards and performance standards reflect the recognition of these problems. This district shall be removed as far as possible from residential areas and buffered by intervening lighter industrial districts.

A. (1) PERMITTED 1-5-S USES

The following uses shall be permitted in the 1-5-S DISTRICT. All uses in the 1-5-S DISTRICT shall conform to the 1-5-S Development Standards (section 2.04a, B hereof) and 1-5-S Performance Standards (section 2.04a, C hereof).

1. SCRAP METAL, JUNK OR SALVAGE STORAGE, OPEN OR ENCLOSED, including auto wrecking, or similar uses.
2. CONCRETE MIXING; PRODUCTION OF CONCRETE BLOCKS AND SHAPES, CINDER BLOCKS AND OTHER SIMILAR BUILDING MATERIALS MANUFACTURE.
3. LUMBER YARDS.
4. ANY SIMILAR USE REQUIRING OUTSIDE STORAGE.
5. ANY USE PERMITTED IN THE 1-4-S DISTRICT. Provided, however, additional 1-4-S uses of section 2.04, A(2) shall be permitted in the 1-5-S DISTRICT by SPECIAL EXCEPTION only.

B. 1-5-S DEVELOPMENT STANDARDS

1. USE OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed eighty (80) percent of the total lot area.
2. REQUIRED FRONT YARD MINIMUM SETBACK A front yard, having at least fifty-five (55) feet width of frontage on a public street and having a minimum depth in accordance with the following setback requirements, shall be provided along the street right-of-way line.

1-5-S REGULATIONS

No part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) or outside storage operations shall be built or located closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- | | |
|--|-------------------------------|
| (1) Expressway: | One hundred twenty (120) feet |
| (2) Primary thoroughfare or parkway: | One hundred five (105) feet |
| (3) Secondary thoroughfare: | Ninety-five (95) feet |
| (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: | Fifty (50) feet |

No part of any structure or outside storage operations shall be built or located closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of fifty (50) feet from the right-of-way line of such front road, unless such road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines coincide with a Federal Interstate Route right-of-way line, the required minimum side or rear setback for this district shall apply.

3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure or outside storage shall comply with the MINIMUM FRONT SETBACK requirements of section 2.04a, B 2.

(1-5-U REGULATIONS)

4. **REQUIRED SIDE YARDS, MINIMUM SETBACK** A side yard and setback of not less than thirty (30) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way.
5. **REQUIRED REAR YARD, MINIMUM SETBACK** A rear yard and setback of not less than thirty (30) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way.
6. **SCREENING AND LANDSCAPING**
- a. **FENCING**
The entire outside operation and storage area shall be enclosed with solid wall or fence, at least 6 feet in height and located at least 30 feet from all lot lines.
- b. **BUFFER STRIP**
A buffer planting strip, at least 30 feet in depth, shall be provided and maintained between the lot lines and the above required fencing, enclosing the entire outside operation and storage area. Such buffer planting strip shall include a compact hedge, row of shrubbery or evergreen trees extending the full length of said required buffer strip. Said hedge, shrubbery and trees shall be at least six (6) feet in height or of such additional height necessary to effectively screen from view (at every point along the lot lines) all materials stored and outside operations.

Any ground area between such hedge, shrubbery or row of trees and the lot lines shall be planted in grass, other suitable ground cover, and/or shrubbery, maintained in good condition, and kept free of litter.
7. **USE OF REQUIRED YARDS** All required yards shall be planted with grass or landscaped with other suitable ground cover materials except:
- a. Required front yards may include:
- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
 - (2) Access cuts and drives, provided they are not located within thirty (30) feet of a lot line.
- b. Required side and rear yards may include:
- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
 - (2) Off-street parking subject to the off-street parking regulations of section 2.09.
 - (3) Access cuts and drives, provided they are not located within thirty (30) feet of a lot line.

8. HEIGHT RESTRICTIONS The maximum vertical height of buildings and structures shall be fifty (50) feet.

Height Exceptions: The following exceptions to the above height regulations shall be permitted;

- (a) Parapet walls not exceeding two (2) feet in height.
- (b) Roof structures for the housing of elevators, water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- (d) A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

The maximum vertical height of equipment and materials stored shall be twenty (20) feet.

Provided, however;

All said equipment and storage shall, at all times, be effectively screened by the fencing and buffer planting required by section 2.04a, B6 and the permitted height of such equipment and storage shall at all times be limited to a height so screened.

9. SIGNS Signs and advertising devices shall comply with the sign regulations of section 2.10. Provided, however, no sign or other identification or advertising device shall be located on or attached to the wall or fence required by section 2.04a, B6a.
10. OFF-STREET PARKING Off-street parking facilities shall be provided in accordance with the off-street parking regulations of section 2.09.
11. OFF-STREET LOADING Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-5-S PERFORMANCE STANDARDS

- 1. SMOKE, PARTICULATE MATTER, or NOXIOUS GASES - The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, as amended (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).
- 2. VIBRATION - No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.

3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety or welfare, or cause injury to property.
5. GLARE
AND
HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE
AND
EXPLO-
SIVE
HAZ-
ARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DIS-
CHARGE
OF
WASTE
MATTER
AND
STORM No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety, or welfare, or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana and/or a registered engineer.

BE IT FURTHER ORDAINED that a new section be added to said Industrial Zoning Ordinance, Ordinance No. 63-A0-4, to be numbered 2.08a and inserted between sections 2.08 and 2.09 thereof, and to read as follows:

SECTION 2.08a 1-5-U HEAVY INDUSTRIAL (OUTSIDE STORAGE) CENTRAL CITY DISTRICT REGULATIONS

Note: This district is designed for certain heavy industrial uses requiring outside operations and storage area within the central city, which are typically characterized by certain appearance factors, requiring buffering by sufficient area and adequate screening to minimize any detrimental or unsightly aspects. The development standards and performance standards reflect the recognition of these problems. This district shall be removed as far as possible from residential areas and buffered by intervening lighter industrial districts.

A. (1) PERMITTED 1-5-U USES

The following uses shall be permitted in the 1-5-U DISTRICT. All uses in the 1-5-U DISTRICT shall conform to the 1-5-U Development Standards (section 2.08a, B hereof) and 1-5-U Performance Standards (section 2.08a, C hereof).

1. SCRAP METAL, JUNK OR SALVAGE STORAGE, OPEN OR ENCLOSED, including auto wrecking, or similar uses.
2. CONCRETE MIXING; PRODUCTION OF CONCRETE BLOCKS AND SHAPES, CINDER BLOCKS AND OTHER SIMILAR BUILDING MATERIALS MANUFACTURE.
3. LUMBER YARDS.
4. ANY SIMILAR USE REQUIRING OUTSIDE STORAGE.
5. ANY USE PERMITTED IN THE 1-4-U DISTRICT. Provided, however, additional 1-4-U uses of section 2.08, A(2) shall be permitted in the 1-5-U DISTRICT by SPECIAL EXCEPTION only.

B. 1-5-U DEVELOPMENT STANDARDS

1. USE OUTSIDE OPERATIONS AND STORAGE AREA LIMITATION. In no case shall the total area of outside operations and storage exceed ninety (90) percent of the total lot area.
2. RE- A front yard, having at least fifty-five (55) feet width of frontage
 QUIRED on a public street and having a minimum depth in accordance with the
 FRONT following setback requirements, shall be provided along the street
 YARD, right-of-way line.
 MINIMUM
 SETBACK

(1-5-U REGULATIONS)

No Part of any structure (excluding an eave or cornice overhang not exceeding four (4) feet or a canopy at an entrance) or outside storage operations shall be built or located closer to the centerline of the right-of-way of the following streets (as designated on the Official Thoroughfare Plan of Marion County, Indiana) than:

- (1) Expressway: One hundred twenty (120) feet
- (2) Primary thoroughfare or parkway: One hundred five (105) feet
- (3) Secondary thoroughfare: Ninety-five (95) feet
- (4) or closer to the right-of-way line of all other streets (including but not limited to collector streets, local streets, cul-de-sacs and marginal access streets) than: Twenty (20) feet

No part of any structure or outside storage operations shall be built or located closer to the right-of-way line of a street or highway designated as a Federal Interstate Route than sixty (60) feet, except:

- (1) Front roads immediately paralleling Federal Interstate Routes (with a coinciding right-of-way boundary) shall be considered collector streets, requiring a front setback of twenty (20) feet from the right-of-way line of such front road, unless such road is designated otherwise on the Official Thoroughfare Plan of Marion County, Indiana, or on the recorded plat thereof as required by the Subdivision Control Ordinance of Marion County, Indiana.
- (2) If side or rear lot lines, coincide with a Federal Interstate Route, right-of-way line, the required minimum side or rear setback for this district shall apply.

- 3. REQUIRED CORNER SIDE YARD, MINIMUM SETBACK In any case where the side lot line abuts a street right-of-way line, there shall be provided a corner side yard in which the setback of any structure or outside storage shall comply with the MINIMUM FRONT SETBACK requirements of section 2.08a, B 2.

4. REQUIRED SIDE YARDS, MINIMUM SETBACK A side yard and setback of not less than twenty (20) feet in depth shall be provided along each side lot line.
Provided, however, if the side lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way.
5. REQUIRED REAR YARD, MINIMUM SETBACK A rear yard and setback of not less than twenty (20) feet in depth shall be provided along the rear lot line.
Provided, however, if the rear lot line abuts a railroad operating right-of-way, the building shall be permitted to abut the railroad operating right-of-way.
6. SCREENING AND LAND-SCAPING
- a. FENCING
The entire outside operation and storage area shall be enclosed with solid wall or fence, at least 6 feet in height and located at least 20 feet from all lot lines.
- b. BUFFER STRIP
A buffer planting strip, at least 20 feet in depth, shall be provided and maintained between the lot lines and the above required fencing, enclosing the entire outside operation and storage area. Such buffer planting strip shall include a compact hedge, row of shrubbery or evergreen trees extending the full length of said required buffer strip. Said hedge, shrubbery and trees shall be at least six (6) feet in height or of such additional height necessary to effectively screen from view (at every point along the lot lines) all materials stored and outside operations.

Any ground area between such hedge, shrubbery or row of trees and the lot lines shall be planted in grass, other suitable ground cover, and/or shrubbery, maintained in good condition, and kept free of litter.
7. USE OF REQUIRED YARDS All required yards shall be planted with grass or landscaped with other suitable ground cover materials except:
- a. Required front yards may include:
- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
 - (2) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line.
- b. Required side and rear yards may include:
- (1) Pedestrian walks, driveways, entrance guard boxes, flag poles, directional signs and similar appurtenant uses.
 - (2) Off-street parking subject to the off-street parking regulations of section 2.09.
 - (3) Access cuts and drives, provided they are not located within twenty (20) feet of a lot line.

(1-5-U REGULATIONS)

8. HEIGHT
RESTRIC-
TIONS

The maximum vertical height of buildings and structures shall be fifty (50) feet.

Height Exceptions: The following exceptions to the above height regulations shall be permitted:

- (a) Parapet walls not exceeding two (2) feet in height.
- (b) Roof structures for the housing of elevators, water tanks, ventilating fans, sky lights, or similar equipment to operate and maintain the building.
- (c) Chimneys, smokestacks, flag poles, radio and television antennas, and other similar structures.
- (d) A monitor roof not exceeding twenty-five (25) percent of the total horizontal area of the roof.

The maximum vertical height of equipment and materials stored shall be twenty (20) feet.

Provided, however:

All said equipment and storage shall, at all times, be effectively screened by the fencing and buffer planting required by section 2.08a, B6 and the permitted height of such equipment and storage shall at all times be limited to a height so screened.

9. SIGNS

Signs and advertising devices shall comply with the sign regulations of section 2.10. Provided, however, no sign or other identification or advertising device shall be located on or attached to the wall or fence required by section 2.08 a, B6a.

10. OFF-
STREET
PARKING

Off-street parking facilities shall be provided in accordance with the off-street parking regulations of Section 2.09.

11. OFF
STREET
LOADING

Off-street loading facilities shall be provided in accordance with the off-street loading regulations of section 2.09.

C. 1-5-U PERFORMANCE STANDARDS

1. SMOKE,
PARTICU-
LATE
MATTER,
NOXIOUS
MATERI-
ALS.

The emission of smoke, particulate matter, or noxious or toxic gases shall conform to the standards and regulations of the Air Pollution Control Ordinance of the City of Indianapolis, Indiana, as amended (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards and regulations are hereby incorporated by reference and made a part hereof).

2. VIBRA-
TION

No use shall cause earth vibrations or concussions beyond the lot lines, endangering the public health, safety or welfare, or causing injury to property.

(1-5-U REGULATIONS)

3. ODOR No use shall emit across the lot lines odorous matter in such quantities as to endanger the public health, safety or welfare, or cause injury to property.
4. NOISE No use shall emit sound beyond the lot lines in such a manner or intensity as to endanger the public health, safety, or welfare, or cause injury to property.
5. GLARE
AND
HEAT No use shall produce heat or glare of such intensity beyond the lot lines as to endanger the public health, safety or welfare, or cause injury to property.
6. FIRE
AND
EXPLOSIVE
HAZARDS The storage, utilization or manufacture of all products or materials shall conform to the standards prescribed by the National Fire Protection Association (a copy of which is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and which standards are hereby incorporated by reference and made a part hereof). Such storage, utilization or manufacturing shall not produce a hazard or endanger the public health, safety or welfare.
7. DISCHARGE
OF WASTE
MATTER
AND
STORM No use shall accumulate or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana; the Indiana State Board of Health; the Stream Pollution Control Board of the State of Indiana; or in such a manner as to endanger the public health, safety, or welfare; or cause injury to property.

Prior to improvement location permit issuance for any industrial use:

- (a) plans and specifications for proposed sewage disposal facilities therefor (unless a connection is being made to a public sewer), and industrial waste treatment and disposal facilities shall be submitted to and written approval obtained from the Stream Pollution Control Board of the State of Indiana and the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana;
- (b) written approval of proposed connection to a public sewer shall be obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana; and
- (c) plans and specifications for proposed storm drainage facilities shall be submitted to and written approval obtained from the Board of Sanitary Commissioners of Indianapolis, Indiana, and/or a registered engineer.

(PARKING AND LOADING REGULATIONS)

BE IT FURTHER ORDAINED that section 2.09, B7 of the said Industrial Zoning Ordinance, Ordinance No. 63-A0-4, be amended to read as follows:

7. AMOUNT
- a. All uses permitted in the I-1-S, I-2-S, I-3-S, I-4-S and I-5-S DISTRICTS shall provide a minimum of one parking space for each one and one-half ($1\frac{1}{2}$) persons on the premises, computed on the basis of the greatest estimated number of persons at any one period during the day or night.
 - b. All uses permitted in the I-1-U, I-2-U, I-3-U, I-4-U and I-5-U DISTRICTS shall provide a minimum of one parking space for each two (2) persons on the premises, computed on the basis of the greatest estimated number of persons at any one period during the day or night.

BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Rozelle Boyd

Wm. A. Brown

Dwight L. Cottingham

THE MARION COUNTY COUNCIL

OF

MARION COUNTY, INDIANA

DATED August 2, 1967

ATTEST: John T. Sutton

AUDITOR OF MARION COUNTY, INDIANA